



#11

Patent
Attorney's Docket No. 032796-019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
John P. CARULLI *et al.*) Group Art Unit: 1633
Application No.: 09/578,900) Examiner: J. Angell
Filed: May 26, 2000)
For: HIGH BONE MASS GENE OF 11q13.3)

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MAR 26 2002
OFFICE OF PETITIONS

AMENDMENT/REPLY TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a reply for the above-identified patent application.

- ☒ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and a check for ☐ \$55.00 (248) ☐ \$110.00 (148) to cover the requisite Government fee are also enclosed.
- ☒ Also enclosed Attachment to Amendment dated March 22, 2002;
Submission under 37 C.F.R. § 1.28(c) Regarding Error in Claim to
Small Entity Status.
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the
☐ \$370.00 (279) ☐ \$740.00 (179) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) previously submitted __, on __, for which continued examination is requested.
- ☐ Applicant(s) request suspension of action by the Office until at least __, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.
- ☒ No additional claim fee is required.

☐ An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims	47	MINUS 47 =	0	× \$18.00 (103) =	0.00
Independent Claims	19	MINUS 19 =	0	× \$84.00 (102) =	0.00
If Amendment adds multiple dependent claims, add \$280.00 (104)					
Total Amendment Fee					0.00
If small entity status is claimed, subtract 50% of Total Amendment Fee					
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					0.00

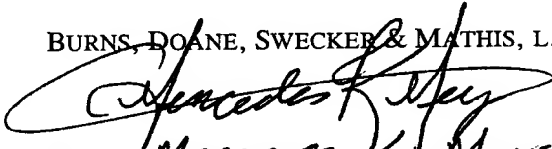
☐ A claim fee in the amount of \$_____ is enclosed.

☐ Charge \$_____ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
MERCEDES K. MEYER, REG. NO. 44,939
Christopher L. North
Registration No. 50,433

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Alexandria, Virginia 22313-1404
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Date: March 22, 2002



#10

Patent
Attorney's Docket No. 032796-019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of)

John P. CARRULI *et al.*)

Application No.: 09/578,900)

Filed: May 26, 2000)

For: HIGH BONE MASS GENE OF 11q13.3)

Group Art Unit: 1643

Examiner: J. Angell

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OFFICE OF PETITIONS**SUBMISSION UNDER 37 C.F.R. § 1.28(C)**
REGARDING ERROR IN CLAIM TO SMALL ENTITY STATUSCommissioner for Patents
Washington, D.C. 20231

Sir:

On May 26, 2000, a small entity assertion was erroneously filed in the above-referenced application. This assertion of small entity status in this application and the payment of fee(s) as a small entity was/were made in good faith. It has now been discovered that such status as a small entity was established in error.

As requested pursuant to 37 C.F.R. § 1.28(c)(2), Applicants provide below an itemization of each particular fee that was erroneously paid, the small entity fee paid, the deficiency owed, and the total deficiency payment owed.

Pursuant to 37 C.F.R. 1.28(c)(2)(ii) the amount of deficiency owed is itemized as follows:

Type of Fee	Small Entity Fee Paid	Deficiency Owed
Basic Filing fee	\$345.00	\$395.00
Additional Claims Fee 27 additional total claims 16 additional independent	\$867.00	\$963.00
Declaration surcharge	\$65.00	\$65.00
Assignment Recordation Fee	\$40.00	\$0.00
TOTAL =		\$1423.00

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01 50:101		740.00 00
02 50:102	807.00 00	537.00 00
03 50:103	485.00 00	
04 50:104	130.00 00	

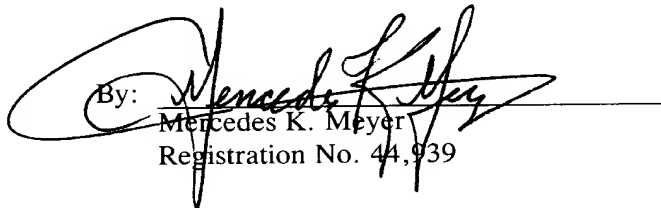
(10/01)

If additional fees are believed to be owed, the Commissioner is authorized to charge Deposit Account No. 02-4800 for any outstanding remaining fees.

If it is believed that a telephone conference with the undersigned would expedite consideration of this paper, the Examiner is invited to contact the undersigned attorney.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
Mercedes K. Meyer
Registration No. 44,939

P.O. Box 1404
Alexandria, Virginia 22313-1404

Date: March 22, 2002